

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

OFFICE

DEC 31 2005 12:31

REYNARD A. GROSSI,

Petitioner,

v.

DAVID NOLAN,

Respondent,

Civil Action No. 05-11522-NMG

PETITIONER'S OPPOSITION TO MOTION TO DISMISS

Petitioner Reynard A. Grossi hereby opposes Respondent David Nolan's Motion to Dismiss on the grounds that, although the filed petition does contain un-exhausted claims, with regards to further appellate review by the State Supreme Judicial Court, Petitioner is seeking a "stay and abeyance" of the petition so that the federal petition can be stayed while the petitioner returns to the State Supreme Judicial Court to file a further appellate review on the claims that are listed on the petition that were not brought before them previously by appellate counsel. The petitioner agrees to file the further appellate review within thirty days of this court granting a stay, and return to this court within thirty days of the exhaustion being completed with any possible amendments necessary for submission with regards to the current petition.

Respectfully submitted,



Reynard A. Grossi, Pro-se  
Petitioner

December 31, 2005